

EXHIBIT C

1 Donna M. Mezias (State Bar No. 111902)
dmezias@jonesday.com
2 Catherine S. Nasser (State Bar No. 246191)
cnasser@jonesday.com
3 JONES DAY
555 California Street, 26th Floor
4 San Francisco, CA 94104
Telephone: (415) 626-3939
5 Facsimile: (415) 875-5700

6 Attorneys for Defendant
NATIONAL CITY BANK

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

11 SONIA RENAZCO,

12 Plaintiff,

13 v.

14 NATIONAL CITY BANK, and DOES 1
through 100,

15 Defendant.

Case No. _____

DECLARATION OF MARTHA
HEADY MESSMAN IN SUPPORT OF
DEFENDANT NATIONAL CITY
BANK'S NOTICE OF REMOVAL OF
ACTION FROM STATE COURT

[28 U.S.C. §§ 1331, 1332, 1441(B) AND
1446]

SIGNATURE VIA FACSIMILE

17 I, MARTHA HEADY MESSMAN, declare and state as follows:

18 1. I am employed by National City Bank (the "Company") in the Employee Relations
19 department as a Senior Vice President and the EEO/Compliance Manager. The following is
20 based on my review of Company records maintained in the ordinary course of business and, if
21 called upon to do so, I could and would testify competently thereto.

22 2. In my position with the Company, I am familiar with the Company's computer
23 system, which houses certain payroll and employee data regarding both current and former
24 employees. The Company maintains its computer system, and the data contained in it, in the
25 ordinary course of its business. The data in the system is entered at or near the time of a payroll
26 or human resources event, and it is transmitted by a person with knowledge of the event in
27 question.
28

DECLARATION OF MARTHA HEADY MESSMAN

1 3. At my direction, searches were conducted in the Company's computer system to
2 retrieve certain personnel data, including salary information and employment dates, associated
3 with current and former employees who hold exempt underwriter positions in the State of
4 California.

5 4. Since October 2003, National City has employed approximately 194 individuals in
6 exempt, underwriter, senior underwriter, underwriter trainee, and similar positions responsible for
7 reviewing home mortgages to consumers in the State of California. Of these 194 individuals,
8 approximately 135 are former employees. The average tenure of these individuals (from October
9 13, 2003 through October 15, 2007) was approximately 65 weeks. Since October 2003, the
10 lowest average annual salary of these individuals was approximately \$24,999.96, and the highest
11 approximately \$141,233.52.

12
13 This declaration is made in accordance with 28 U.S.C. § 1746 and I declare under penalty
14 of perjury under the laws of the United States that the foregoing is true and correct, and that this
15 declaration was executed in Indianapolis, Indiana on November 26, 2007.

16
17 

18 MARTHA HEADY MESSMAN
19
20
21
22
23
24
25
26
27
28

SFI-574464v1

DECLARATION OF MARTHA HEADY MESSMAN